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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,526	02/12/2004	Chun-Yung Huang	3624-0154P	4154

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EXAMINER

HUNTER, ALVIN A

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

4W

Office Action Summary	Application No. 10/776,526	Applicant(s) HUANG, CHUN-YUNG	
	Examiner Alvin A. Hunter	Art Unit 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-17 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/21/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 2, and 5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Su (USPN 5713800).

Regarding claim 1, Su discloses a golf club head comprising a body including a recess in a front side thereof; and a striking plate including a striking face on a front side thereof for striking a golf ball, a plurality of positioning protrusions projecting from a perimeter of the striking plate; wherein when the striking plate is inserted into the recess of the body, said plurality of positioning protrusions plastically deform and engage with an inner perimeter delimiting the recess (See Figure 2).

Regarding claim 2, Su discloses the recess to include a stepped portion for supporting the striking plate (See Figure 2).

Regarding claim 5, Su discloses each of the plurality of positioning protrusions having an inclined face on a bottom side thereof for guiding the plurality of positioning protrusions into the recess of the body (See Figure 3).

Regarding claim 6, Su shows the striking face and the plurality of protrusions defining a space for receiving filler (See Figure 2).

Regarding claim 7, Su shows each of the plurality of positioning protrusions being parallelepiped (See Figure 2).

Regarding claims 8 and 9, the limitation claimed is a product by process claim, therefore, it is submitted that Su meet the limitation of the claim being that the final product is the same.

2. Claims 10, 11, and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Lo (USPN 5303922).

Regarding claim 10, Lo discloses a golf club head comprising a body including a recess in a front side thereof, a plurality of positioning protrusions projecting from an inner perimeter delimiting the recess, and a striking plate including a striking face on a front side thereof for striking a golf ball; wherein when the striking plate is inserted into the recess of the body, said plurality of positioning protrusions plastically deform and engage with a perimeter of the striking plate (See Figure 1).

Regarding claim 11, Lo discloses the recess including a stepped portion for supporting the striking plate (See Figure 1).

Regarding claim 14, Lo would inherently disclose a space between the striking plate and the protrusions being that there is a tolerance between the two elements for fitting.

Regarding claim 15, Lo shows each of the plurality of positioning protrusions being parallelepiped (See Figure 1).

Regarding claims 16 and 17, the limitation claimed is a product by process claim, therefore, it is submitted that Lo meet the limitation of the claim being that the final product is the same.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Su (USPN 5713800).

Regarding claims 3 and 4, Su does not explicitly disclose the dimensions of the protrusion, but one having ordinary skill in the art would have drawn from Su that the dimension of the protrusion may be of any length or width so long as the invention is achieved. Therefore, one having ordinary skill in the art would have found it obvious to have protrusions of any dimension in order to hold the striking plate in place.

4. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lo (USPN 5303922).

Regarding claims 12 and 13, Lo does not explicitly disclose the length and width of the protrusion, but one having ordinary skill in the art would have drawn from Lo that the dimension of the protrusion may be of any length or width so long as the invention is achieved. Therefore, one having ordinary skill in the art would have found it obvious to have protrusions of any length and width in order to hold the striking plate in place.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is 703-306-5693. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich, can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alvin A. Hunter, Jr.



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